Tells the Facts and Names the Names

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Have Journalists Been Deliberately Murdered by the U.S. Military?

By Christopher Reed

The word "murder" crops up sooner or later in serious discussions — scanty though they are — about American forces in Iraq and the many foreign journalists they have killed there. So, in order not to be later, let us ask the question now: Is the U.S. military deliberately murdering non-American media in the Iraqi war?

Many answer affirmatively, especially the families, eyewitnesses, colleagues, and employers of those who died violently in circumstances not explained satisfactorily, despite three years of requesting information. Others, including several international journalists' organizations, voice the charge of "war crimes" to describe these killings.

A third interpretation comes in various shockingly descriptive phrases such as "criminal negligence, malicious manslaughter, reckless neglect, wanton savagery, intentional homicide, random murders, cowboy-killers, crazy killers," and so on.

It all amounts to a searing condemnation, but comes mainly from abroad. In America a tired, uninformed cynicism predominates with clichés such as, "Shit happens, what d'you expect, it's war for chrissake, they all do it."

Except they do not. Americans do. The Iraq war is the worst such conflict for wrongful deaths of journalists in modern memory. Proportionately, more have been killed than in any other conflict.

In August 2003, when American troops shot dead a Reuters news agency cameraman in Iraq, Mazen Dana, he was

Galilee: the 1948 Rules in 2006

By CHARLES GLASS

The Galilee was deserted again last summer. Its residents had fled in fear. Farmland went unploughed, houses stood empty and soldiers' jeeps drove unimpeded through the villages. The Israeli Foreign Ministry estimated that, while the army was waging war in Lebanon, between 300,000 and 500,000 people left their homes in the north. When the Israeli-Lebanese ceasefire went into effect after thirty-four days on August 14, 2006, the displaced Israelis were allowed to return. The government promised $2 billion to repair property damaged by Hizballah's rockets.

Times have changed. The Galileans fled from warfare in 1948 as well. When that truce took effect, Israel's new government did not pay a penny to those whose homes were damaged or destroyed. Nor would it permit the displaced to return. Israel's first prime minister, David Ben-Gurion, wrote of those who fled in 1948, "Their return must be prevented… at all costs."[1] The cost was the bulldozing of 385 Arab villages; whole communities were wiped from the map. In cities like Haifa and Jaffa, Arab homes were requisitioned. It did not matter where the original inhabitants were at war's end – whether in other parts of Israel as displaced people or in neighboring countries as refugees. Seven hundred thousand Palestinian Arabs – about three-quarters of the Arab population – fled what would become Israel in 1948, of whom roughly 300,000 had lived in Galilee and the rest of the north. That is more or less the same number that left this summer.

In 1950, Israel's Absentee Property Act transferred ownership of the refugees' land and houses to the Israel Lands Authority. The ILA, as inheritor of the Jewish National Fund that had been tasked since 1901 with buying Arab land for eternal Jewish possession, was not allowed to sell or lease to non-Jews. Although the JNF had managed to purchase only 3.5 per cent of Palestinian land by 1947, the ILA's share after 1948 rose to ninety-two per cent.[2] Ninety-two per cent of Israel's land area was and is owned by the ILA. The Absentee Property Law created a new class, the "present absentees", Arabs "present" in the state of Israel whom the law treated as "absent" for the purposes of property ownership. The "present absentees" remained as permanently displaced people not far from their homes. The refugees were consigned to camps in the Arab countries, never to return.

Why the difference between 1948 and 2006? Abba Eban formulated the classic argument against allowing Palestinian Arabs of the 1948 exodus to return by blaming not war but the Arab states who invaded Israel. In 1957, he told the United Nations General Assembly that "the responsibility of the Arab governments is threefold. Theirs is the initiative for its creation. Theirs is the onus for its endurance. Above all — theirs is the capacity for its solution." The United Nations had taken a different view. U.N. General Assembly Resolution 194 of December 11, 1948, stated that "the refugees wishing to return to their homes and live at peace with their neighbors should be permitted to do so at the earliest practicable date, and that compensation should be paid for the property of those choosing not to return and for loss of or damage to property which, under principles of international law or in equity, should be made good by the Governments or authorities responsible." No "practicable date" has arrived, and compensation has never been offered – despite the fact that Israel's admission to the U.N. in 1949 was contingent upon its recognition of Resolution 194.

Israel insisted that the Arab states – via their radio stations – had ordered Palestin-

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the 17th journalist to die since the invasion started in March that year. During that time U.S. military casualties totaled less than 300 — an astonishing comparative statistic. Thus far, the total number of journalists and assistants killed in Iraq now total over 130. Of these, another shocking figure is the number of journalists apparently killed deliberately.

These deliberately killed, including interpreters and technicians, total at least 20 as counted by the International Federation of Journalists (IFJ) in Brussels, the world's largest such organization representing more than 100 nations. At the very least it involves an outrageous scandal that is deliberately ignored by the U.S. government. For more than three years the Pentagon has dismissed, obstructed, delayed, or neglected attempts to seek justice in these killings. It has consistently concealed the truth and, in at least one instance, tampered with evidence.

The lack of cooperation means no satisfactory verdict in any single instance, but one case has come near and could finally — with the help of a more sympathetic new Congress? – lead to at least a semblance of justice. Yet even here, the preliminary finding emerged not because of the U.S. military, but despite it. British military allies also obstructed inquiries and failed to cooperate.

The case centers upon British reporter Terry Lloyd, the senior war correspondent of Independent Television News, BBC TV's main rival in the U.K. He was aged 50 with two children from his 19-year marriage, when he was killed by U.S. forces on the third day of the Iraq invasion in March of 2003 near Basra in the south. It happened along what they call the Highway of Hell when Lloyd, already wounded in the shoulder by Iraqi gunfire, lay in a minibus makeshift ambulance about to rush him to hospital.

But before that could happen, a bullet from an M63 machine gun fired by a U.S. marine tank crew shattered Lloyd's skull. His Lebanese interpreter Hussein Osman, married in his 30s, had been killed already, probably in earlier crossfire that caused Lloyd's wound. Their French cameraman, Frederic Nerac, 42 and married, was officially "presumed dead" by the French government only in October 2005. His remains have yet to be found after more than three years.

The case of the dead Briton is important, even although most of the 20 suspected murdered journalists are Arabic, because it happens to be the only one examined by a court of law with high standards of evidence – an inquest conducted by a coroner in Oxford, England, near where Lloyd lived. The court heard testimony over two weeks, concluding on October 13, 2006. The verdict: "Unlawful homicide," meaning in English law, in this kind of court, either manslaughter or murder.

The American press, accustomed to coroners' weaker powers, gave the verdict little prominence, but an English inquest (Scotland is slightly different) meets American evidence standards of "beyond a reasonable doubt".

Sworn witnesses testify and may be cross-examined; a jury often deliberates; and the coroner's verdict, if it rules that a crime took place, is usually followed with a prosecution. The nearest U.S. equivalent is a preliminary hearing to establish a "prima facie" case to answer before a full trial.

In the Lloyd case coroner Andrew Walker concluded that the "intention" of the two marines who fired at him was to "kill or cause serious injury". Walker has written to the British Director of Public Prosecutions and the Attorney General (the government's senior lawyer) to recommend criminal investigation. ITN chief editor David Mannion wrote to the Pentagon. A prosecution decision is awaited.

Coroner Walker expressed severe criticisms of the case, as did the lawyer for Lloyd, one of several participants who described his death as "murder". Apologizing for the three-year delay, Walker said: "I and others made strenuous attempts to secure information from the U.S. forces." Worse, a death scene videotape taken by U.S. personnel and supplied to British military with assurances of its integrity appeared to be missing 15 minutes of deleted material.

Walker found no evidence of careless or improper behavior by ITN or Lloyd. He said: "I have no doubt that the minibus presented no threat to American forces as, firstly, it was a civilian vehicle, and, secondly, it stopped and turned around to pick up survivors and was facing away from the American forces. It was obvious that wounded persons were getting into the vehicle. If the vehicle was perceived as a threat, then it would have been fired on before it did a U-turn. This would have resulted in damage to the front. There is no such damage.

"I have no doubt that the fact the vehicle stopped to pick up survivors prompted the Americans to fire at the vehicle. It must be the case that the Americans who opened fire saw people getting into the minibus and must have seen that one of them needed the help of another person and was clearly injured."

The lawyer for Lloyd, Anthony Hudson, also told the court that whoever opened fire on him did so with the intention of "killing him or causing really serious injury." Hudson added: "If you conclude that U.S. soldiers fired on the civilian minibus containing Lloyd, if those U.S. soldiers had an intention to kill or an intention to cause serious injury, then you can properly conclude that Lloyd was murdered by those U.S. soldiers."

It is important to know that Lloyd, who had covered several wars previously, was working independently, or in military jargon, was a "unilateral" reporter not officially "embedded" with troops. Although early in Iraq there were only 600 embedded media and over 2,000 independents, evidence suggests the latter are resented by military personnel as more likely to produce unflattering reports. Embedded media, literally dependant on soldiers for survival, are more pliable.

Stewart Purvis, former ITN chief executive, told the inquest that British

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(**Galilee** *continued from page 1)*
ian Arabs to leave so that their armies could fight without civilians in the way. This was always an unlikely scenario for two reasons. First, from a practical viewpoint, Arab soldiers needed Palestinian Arab villagers to feed and house them. The lines of communications and supply were insecure, and only among a friendly population could they be assured of sustaining themselves for the war's duration. Second, the Arab armies had invaded Israel with the stated objective of reversing the expulsion of Palestinians from their homes that had begun under Zionist attacks and terror in 1947. The Zionist historian Jon Kimche, in *Seven Fallen Pillars: The Middle East 1915-50*, wrote, "For though it has become a habit among Israelis and pro-Zionists to assume that there was nothing but evil hatred behind the Arab decision to go to war against Israel, and that the Arab explanation that they came to save their brethren from attack by the terrorists was a cheap excuse for the benefit of those who care to believe it, it must be stressed that there was great and very real Arab concern for the fate of the Palestine Arabs." Their intervention was motivated, Kimche asserted, in large measure by the same fatal act that terrified Palestine's Arabs, the Israeli massacre of 250 men, women and children in the undefended village of Deir Yassin near Jerusalem on April 9, 1948. Reports of Israeli brutality – throwing bodies down wells and parading survivors in open trucks through Jewish areas where people spat on them – frightened other Arabs and "swayed many [Arab states] who had been hesitating on the brink of decision whether to flout the United Nations and go to war against the Palestine Zionists or not."

Israeli propaganda about Arab radios ordering the flight was always a lie, but it took the Irish diplomat Erskine Childers to demolish it. His meticulous review of all the Arab broadcasts of 1948 intercepted by the BBC and American monitors proved that no recorded broadcast had called on people to leave. Childers published his painstaking research in *The Spectator* on May 12, 1961: "There was not a single order, or appeal, or suggestion about evacuation from Palestine from any Arab radio station, inside or outside Palestine, in 1948. There is repeated monitored record of Arab appeals, even flat orders, to the civilians of Palestine to stay put." Childers noted that al-Inqaz radio threatened punishment for any Palestinian "cowards" who left their homes. The canard about Arab broadcasts, although occasionally repeated in propaganda pamphlets, is no longer part of the scholarship. Israeli historian Simha Flapan wrote in *The Birth of Israel: Myths and Realities* that the Arab radio station in Ramallah appealed to Arabs not to flee. Radio Damascus instructed people to remain in their homes and said all Palestinians of military age residing outside Palestine should return home at once. Fear of massacre, particularly after reports of Deir Yassin became widespread, forced many to seek safety. "Once the flight began, however," Flapan wrote, "the Jewish leaders encouraged it." Benny Morris, in *Righteous Victims: A History of the Zionist-Arab Conflict, 1881-1999*, wrote, "Deir Yassin had a profound political and demographic effect. Despite a formal Jewish Agency Executive letter of apology and explanation to King Abdallah [of Jordan], the incident seemed to push Jordan into the arms of those pressing for direct intervention by the Arab states and undermined the secret Yishuv-Abdallah agreement. It may also have contributed to the decision of leaders of other nations – principally Egypt – to join the fray." A third of Palestine's Arab population had been forced out *before* the Arab armies invaded.

Deir Yassin became the Jerusalem suburb of Givat Shaul, where a mental hospital now stands. On occasion, its patients are taken to watch Israel tank exercises.

Deir Yassin became the suburb of Givat Shaul, where a mental hospital now stands. On occasion, its patients are taken to watch Israel tank exercises. An Israel colonel I know believes they find it a pleasant change from confinement in the hospital.

When Hizballah kidnapped – or abducted or captured – two Israeli soldiers on July 12 this year, Israel reacted by sending a column into Lebanon to find them. They were ambushed, and eight Israeli soldiers died. Israel then bombarded Lebanon, and Hizballah responded with its own, less powerful rockets. Who was responsible for the flight from Galilee that followed? One might say that Israel's bombardment provoked the Hizballah's retaliation and that, therefore, it had caused the flight – in much the way Israel blamed the Arab armies for the Palestinian dispersal in 1948. If Israel's soldiers had not been captured in the first place, the war need not have taken place. (That assumes, for the moment, that the captive soldiers, rather than crushing Hizballah in advance of an American or Israeli raid on Iran, were the war's *raison d'être*.)

Whose fault was it that the soldiers were taken from a weak point along the Lebanese border? *Ha'aretz* reported on November 12, "The head of an Israeli Defense Forces inquiry into the abduction of IDF soldiers Eldad Regev and Ehud Goldwasser by Hizballah on July 12 said Sunday the army could have prevented the abductions." The commission chief, reservist Major-General Doron Almog, said the army failed to follow standard procedures when patrolling weak points along the border. The operational plan for border surveillance, according to *Ha'aretz*, "called for limiting the movement of IDF troops along the border fence to a minimum, and also highlighted several weak points along the fence where the risk of abduction was higher. The soldiers were abducted at one of these points." Almog said the plan was never implemented, and the Galilee Division's commander, Brigadier General Gal Hirsch, resigned. A month after the ceasefire, the U.N. declared that it was mediating an exchange of the two Israelis for Lebanese held by Israel. The discussions, as in the past, could have taken place without the summer's war, the destruction in Lebanon, the Hizballah's rocket barrage and the flight of Israelis from the Galilee. Who was responsible?

Hizballah's assault on northern Israel – involving thousands of unguided Katyusha rockets on population centers and countryside alike – was harsh and, according to Human Rights Watch, probably a war crime for targeting civilians. (Human Rights Watch made the same accusation against the State of Israel.) However frightening Hizballah's rocket barrage was, its tonnage and ferocity did not compare to the onslaught the Israeli forces brought to bear against the Palestinian Arabs in 1948. Israel in 1948 bombed Arab villages with Dakota and Flying Fortress aircraft smuggled from the United States and with artillery fired at short range. Loudspeaker trucks ordered peasants to flee or die. The Haganah, forerunner of the IDF, dropped leaflets warning Palestinian Arabs that "all people who do not want this war must leave together with their women and

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children in order to be safe. This is going to be a cruel war, with no mercy or compassion. There is no reason why you should endanger yourselves."[3] Menachem Begin wrote in *The Revolt* that Jewish soldiers reminded the Arabs, "Remember Deir Yassin!" If his Irgun force supported by an elite Haganah Palmach unit, could destroy a village that cooperated with the Zionists, what was in store for the rest?

Ten days after Deir Yassin, Tiberias in the Galilee became the first large town with a mixed Arab-Jewish population to be deserted by its Arab inhabitants. Next came Haifa, when British troops left the city on April 20, 1948. The British informed the Jewish leadership when it would depart, but it said nothing to the Arabs. Relations in Haifa between Arabs and Jews had been relatively good, despite an Irgun bomb placed in the Arab marketplace and another in the refinery where Arab and Jewish workers had pledged not to fight one another. About 70,000 Arabs and 60,000 Jews lived in the port city, whose better-off Arabs had begun to seek safety in Nazareth, in other Arab towns in Palestine and in Lebanon. Haifa's mayor, Shabtai Levy, famously asked Haifa's Arabs to remain, but the surrender terms issued by the Haganah were unacceptable. The Haganah attacked, and most of the Arabs fled. Ben-Gurion wrote in his diary, "What happened in Haifa can happen in other parts of the country if we will hold out…"[4] As early as 1947, Ben-Gurion had foreseen in his diary that Galilee might be depopulated: "The compulsory transfer of Arabs from the valleys of the proposed Jewish state could give us something which we never had, even when we stood on out own feet during the days of the First and Second Temple." What Biblical Israel never had in the Galilee was a Jewish majority. The region was known as the Circuit (Galilee) of the Gentiles.

In mid-June 1948, Arthur Koestler visited Haifa. The Israeli forces that captured the coastal city were distributing the Arabs' furniture, linens, jewelry and other household possessions to senior officers and politicians through the newly formed Custodian of Abandoned Property[5]. More than £1.5 billion in Arab deposits had been seized from Haifa's banks. Koestler met a wealthy Christian Arab who was "more or less the spokesman of the remaining Arab population of about two thousand." Mr. T., as Koestler called him, spoke in French and "explained that he had stayed behind because if choose he must, he would rather live in a Jewish than in an Arab state." Koestler continued:

"This said, he launched into a long list of complaints: that the Arabs in Haifa are not allowed to walk in the Jewish quarters; that they are debarred entry to the Town Hall; that they don't get their rations; that the property of those who have left has been looted; and that all this was a bad and short-sighted policy on the part of the Jews... Then came another torrent of complaints and laments. Suddenly, it struck me that speaking for a minority with a justified grievance, Mr. T. was behaving exactly as the Jews used to behave. It was the same mixture of sob-talk and casuistry, the same wearying relentlessness in airing complaints, in playing on the other man's bad conscience — until his perfectly good case was lost in the exasperation caused by constant overemphasis. Jews are created not by race, but by conditions." [6]

Conditions changed, and, as I. F. Stone wrote in his introduction of Fawzi El Asmar's *To Be an Arab in Israel*, "Israel's Jews are its Arabs." That a publication like the *New Statesman* in London could print the cover headline, "Israel Under Siege," while Israel was holding both the Gaza Strip and Lebanon under a real siege – by air, sea and land – is a measure of the degree to which Israel portrays its Jewish population as if it lived in pre-state conditions of European oppression. Last summer, the ostensible *casus belli* was Hizballah's abduction of two Israeli soldiers.To the world Israel conveyed images of rockets hitting northern Israel, Israelis trapped in shelters, and Israelis escaping their homes. The fear that some Israeli civilians had of Hizballah barrages was genuine, but the damage to Israel was minor compared to the havoc Israel was wreaking on Lebanon. The number of Lebanese civilians killed by the Israelis was twenty-four times the number of Israeli civilians who died from Hizballah's Katyushas. Israel destroyed 15,000 Lebanese houses and bombed the Palestinian refugee camp at Ain el Helouie near Sidon ruthlessly. Israel bombed nearly every bridge in Lebanon and destroyed the country's newly restored communications infrastructure. It wiped out the village of Khiam, where Hizballah had turned Israel's former torture center into a museum. It destroyed border villages like Bint Jbeil and Maroun al Ras, and its jets and rockets devastated Beirut's Shiite southern suburbs. Hizballah had no capacity for reciprocal destruction of a similar magnitude, although it did some damage to Israel — mainly, one must conclude, to the Israeli army's self-image of invincibility and superiority.

An unintended consequence of the summer invasion was that Israel lost. More than a war, it forfeited its purpose. Israel was always intended, as Zionist founder Theodor Herzl promised, to hold back the tide of "Asiatic barbarism". Later interpreted as Arab nationalism, Arab communism and Arab terrorism, "Asiatic barbarism" was the bogey from which Israel was meant to defend its Western sponsors. In the summer of 2006, it failed. Policymakers in Washington may be asking themselves, in the wake of a defeat in which the IDF could not even reach the Litani River in south Lebanon without suffering unacceptable casualties, what use the Israeli army is to the United States.

The 2006 war lasted thirty-four days, and one wonders how the Galilee residents would have coped if it had been waged as long as the War of Independence in 1948.

The war lasted thirty-four days, and one wonders how the Galilee residents would have coped if it had been waged as long as the War of Independence in 1948. Under the headline, "Rockets force first Israeli evacuation in 58 years" Agence France Press correspondent Hadege Puljak reported on August 9 from Kiryat Shmona: "Terrified and exhausted by the daily rain of rocket fire, residents fled to the wail of sirens on Wednesday in the first evacuation of an entire town since the creation of Israel in 1948. The sirens sounded again as two Katyusha rockets came crashing down into the northern Israeli border town of Kiryat Shmona, about three miles (five kilometers) from the Lebanese border.

Of the town's 24,000 inhabitants, "around 15,000 have already fled to the south, in hotels, in kibbutz or found refuge with their families," Barvivai told AFP. "Most of the 9,000 residents who are still here want to leave," he added.

The Brookings Institute subsequently reported that "an estimated two-thirds of the population of Nahariya, with a population of 56,000 prior to the conflict, fled." Its August 15 study, "Displacement in the Current

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Middle East Crisis: Trends, Dynamics and Prospects," said that at least 300,000 Israelis had evacuated the north. The authors noted that it was "the relatively resourceful who were able to move." Brookings, a creature of its time, meant by "resourceful" having financial resources. It continued, "This includes those with the financial means to travel south – for example those who had cars when public transport between the north and the south was stopped; and those with people there to stay with. The poor, the disabled, the very young and the very old, have been less mobile. Israeli Arabs comprise a considerable proportion of those who stayed." Compare this to Simha Flapan's observation of the 1948 departure of the Arabs: "Tens of thousands of community leaders, businessmen, landowners, and members of the intellectual elite who had the means for removing their families from the scene of fighting did so."[7] The Brookings report speculated that in 2006 the Arabs of the north "were poor and have few options." It did not consider the fact that the Galilee Arabs, descendants of those few Palestinians who clung on despite Zionist attacks in 1948, were unlikely to run from inaccurate Hizballah rockets with small payloads. There may also have been the residual fear, born of family memory, that they might not be allowed home if they left. Why would they succumb to paranoia?

At the moment, 1.3 million Arabs are citizens of Israel. They form twenty per cent of the population. (Sixty per cent of Israel's Arabs live in the Galilee, which has never had a solid Jewish majority. During the summer war, the Arabs were in the vast majority.) If the Arab birthrate and Jewish immigration remain where they are, that percentage will grow slowly and steadily. In 1947, Ben-Gurion had written that "there can be no stable and strong Jewish state so long as it has a Jewish majority of only sixty per cent."[8] Binyamin Netanyahu, the former and possibly future prime minister, took up the same theme in 2003: "If the Arabs in Israel form forty per cent of the population, this is the end of the Jewish state." He also said that the current twenty per cent was "a problem" that might require the state "to employ extreme measures".

One of the extreme measures was a Knesset law of July 31, 2003, that prohibits Palestinian Arabs from the West Bank and Gaza from living with their Israeli Arab spouses in Israel. The state is enforcing the law in interesting ways. The Haifa University professor and historian Ilan Pappe wrote, "In the dead of night on January 24 this year, an elite unit of the border police seized the Israeli Palestinian village of Jaljulya. The troops burst into houses, dragging out 36 women and eventually deporting eight of them. The women were ordered to go to their old homes in the West Bank. Some had been married for years to Palestinians in Jaljulya, some were pregnant, many had children, but the soldiers were demonstrating to the Israeli public that when a demographic problem becomes a danger, the state will act swiftly and without hesitation."[9] Citizens of any non-Arab country who marry Israeli Jews are allowed to live in Israel. Israel's new minister for strategic affairs, Avigdor Lieberman, has urged the expulsion of Israel's Arab citizens, and other Israeli politicians have called for their forced sterilization to solve Israel's "demographic problem".

Moving the natives out to leave room for the settlers has been Zionism's task from the time Theodor Herzl wrote *Der Judenstadt*. Herzl considered alternatives to Palestine, when Ottoman Sultan Abdel Hamid rejected his project for Palestine. Among lands presented for Zionist colonization were Argentina, Uganda and Cyprus. In 1902, Herzl asked Joseph Chamberlain, Britain's minister for the colonies, to give the Zionists Cyprus or El Arish in Egypt. When Chamberlain observed that Cyprus was inhabited, Herzl answered, "The Moslems will move away, the Greeks will gladly sell their lands at a good price and migrate to Athens or Crete."[10] Fortunately for the Cypriots, the Zionist Congresses held out for Palestine. In Arthur Balfour, the Zionists found an imperial administrator with fewer qualms about the natives. It is interesting to note that Herzl's only visit to Palestine lasted just nine days in 1898. He was in such a hurry to leave a land that he found repugnant that he rowed around Jaffa harbor all night in search of a ship's captain who would take him away. A British ship gave him passage with a consignment of Jaffa oranges to Alexandria.[11]

The differences between 1948 and 2006 may have more to do with race than with the principle of a displaced person's right to return to his home at the end of hostilities. I suggested to an Israeli friend of mine that if the 1948 rules applied, then the Israeli Jews who fled the Galilee should stay put in Tel Aviv, Jerusalem, New York, or wherever else they spent July and August. He wrote back: "I did try to raise this question with Israelis as a joke, saying that the government declared that 'Sorry, whoever had left his/her home during the war is not permitted to return, otherwise we'll have to recognize the Palestinians' right to return too'; and that Nasrallah told the Palestinian refugees in Lebanon, 'OK, I have cleared for you the Galilee, you may return to your homeland now.'" Apparently, no one laughed. CP

Charles Glass was ABC News Chief Middle East Correspondent from 1983 to 1993. His new book on the Middle East is *The Northern Front* (Saqi Books). His website is www.charlesglass.net.

[1] Simha Flapan, *The Birth of Israel: Myths and Realities*. 1987, p. 105.

[2] Nur Masalha, "A Miraculous Clearing of the Land?": The Zionist Concept of 'Transfer' and the 1948 Exodus," Shami.org publications, 2006.

[3] Simha Flapan, *op. cit*., pp. 92-93.

[4] Simha Flapan, *op. cit*., p. 99.

[5] For a thorough account of organized Israeli looting of Palestinian assets, see Tom Segev, *1949: The First Israelis*, 1985.

[6] Arthur Koestler, *Promise and Fulfilment, Palestine 1917-1949*, 1949.

[7] Flapan, *op. cit*., p. 89.

[8] Ilan Pappe, "Ingathering", *London Review of Books*, November 13, 2006.

[9] *Ibid*.

[10] Desmond Stewart, *Theodor Herzl: Artist and Politician*. 1974, p. 204.

[11] *Ibid*.

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forces had concealed information and delayed the hearing. He added that the military deliberately put at risk independent journalists who were, for instance, not informed of potential dangers. "The military did not wish to take any responsibility for unilaterals, to such an extent that they wouldn't even recognize their existence…It was pretty clear the British government did not want [independent] news correspondents in Baghdad." The same applied to the U.S.A.

While further Lloyd developments are awaited, a Spanish case has been abandoned. It arose from the deeply suspicious U.S. tank missile attack on the Palestine Hotel in Baghdad in April 2003 that killed Spanish cameraman Jose Couso and a Ukrainian reporter. The judge, who issued arrest warrants for two American soldiers and an officer, could not proceed, he said, because of U.S. refusal to cooperate.

Although an American inquiry exonerated the tank crew, saying they mistook "glinting light" from a camera as an Iraqi gunfire aimer's binoculars, this was widely disbelieved. Tanks have powerful magnifying sights, it was bright daylight, and the hotel, the highest building there, was well known as a journalist headquarters, housing more than 100.

The U.S. official version of events kept changing so it soon became apparent that lies were being told. At one point, a senior U.S. officer had to withdraw his statement. IFJ requests for an open accounting have been ignored.

As an obvious murder, the worst case is the U.S. tank shooting of the veteran cameraman Mazen Dana, 43, outside the notorious Abu Ghraib prison in Baghdad, also in daylight. The crew said they mistook his camera for a weapon, but Dana's colleagues told a different and damning version. They said they had been at the spot for 30 minutes or more, clearly visible to the military, that Dana had been filmed the tank as it approached over 50 meters.

"They knew we were journalists. After they shot Mazen, they aimed their guns at us."

If his camera was a weapon, why did he not fire? Stephan Breitner of France 2 Television said: "They knew we were journalists. After they shot Mazen, they aimed their guns at us. I don't think it was an accident...They are crazy."

In a grim irony Dana, a Palestinian, had been beaten and shot so many times by Israeli soldiers, mainly by rubber bullets but not always, that he was transferred to Iraq because it was "safer."

The New York-based Committee to Protect Journalists, which honored Dana with a Press Freedom award in 2001 for coverage of the West Bank, wrote to the U.S. defense secretary asking for an inquiry. Weeks later the Pentagon exonerated the American troops but did not publish full findings.

Several of the 20 dead were killed by a single shot from an American weapon, suggesting a deliberate act or even a sniper, as their deaths did not involve a skirmish. But as the military continues to hide the facts, nothing can be ascertained precisely — except that as numbers mount, so does the evidence in general.

"It is time for the U.S. to abandon its policy of cover-up and tell the whole truth about all the cases where media died in unexplained circumstances at the hands of American soldiers," said the IFJ General Secretary Aidan White after the Lloyd verdict. Nothing has come of that.

Yet some may say: journalists know the risks. Horror happens. Mistakes are made. It's war. So?

Well, as the AFL-CIO, wrote to the Pentagon on April 19, 2003, such suspicious killings "easily inflame anti-American sentiments in the foreign press. They also raise serious questions for us about safety of our own [American] members on the ground in Iraq." And elsewhere. The letter asked the defense secretary for an independent investigation of journalist killings. Nothing happened. CP

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